



# City of Hampton, VA

## Meeting Minutes

### City Council

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)

*Linda Curtis*  
*W. H. "Billy" Hobbs, Jr.*  
*Will Moffett*  
*Chris Snead*  
*Christopher G. Stuart*  
*Donnie R. Tuck*  
*George E. Wallace, Mayor*

*Staff:*  
*Mary Bunting, City Manager*  
*Cynthia Hudson, City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

Wednesday, January 8, 2014

12:59 PM

Council Chambers, 8th Floor, City Hall

#### **CALL TO ORDER/ROLL CALL**

#### **GEORGE E. WALLACE PRESIDED**

**PRESENT:** Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck

**ABSENT:** Christopher G. Stuart

Councilman Stuart was not present at the time of roll call, but arrived shortly thereafter at 1:03 p.m.

#### **AGENDA**

1. 14-0050 Update on the Citizen Engagement Advisory Commission (CEAC) report on a police review committee

City Manager Mary Bunting shared some history of the Citizen Engagement Advisory Commission (CEAC) and context to the question on instituting a police review committee. This group was formerly named the Ad-Hoc Leadership Group. This group was originally commissioned by the City Council as a group that would be convened to review any major community incidences that had the potential to or were dividing the community along major racial, ethnic, religious, gender and/or other tensions. While this included police incidences, it encompasses all major incidences that occurred within the community. They were first activated in response to the Andrea Reedy situation, but they have been working and training to assist the community and the Council should any similar incident occur to help the community understand facts about an issue.

Ms. Bunting stated that when Council began to hear requests for a police review commission, it asked the Ad-Hoc Leadership Group for its thoughts as to its role in those inquiries. Council noted that the Ad-Hoc Leadership Group, having been convened as a community incident review group, might be able to give Council guidance as to how to process those requests, if a police review committee was needed, and, if so, how it might be constructed within the confines of Virginia law. A report was submitted to

Council in November 2012. Council asked the Ad-Hoc Leadership Group to meet with then Interim Police Chief Tommy Townsend to work through some of the details. Interim Chief Townsend and the International City/County Management Association (ICMA), a consultant working with the City, suggested that the work would be better served when a new Police Chief was chosen, as the new Chief should be part of building the protocol. At this point, the group was renamed CEAC, and they agreed with that recommendation.

Ms. Bunting stated that when Police Chief Terry Sult joined the City, the CEAC reached out to him and invited him to share his thoughts to continue the dialogue. She noted that in the report from November 2012, many recommendations were made, one of which dealt with the review commission concept. There were also recommendations for enhanced training, outreach, and return to community policing principles. She stated that representatives from the CEAC are here to provide an update to that report having completed engagement with the Police Chief. She introduced Ms. Michele Woods-Jones, Executive Director of the Citizens' Unity Commission (CUC), who staffs the CEAC. She also recognized two CEAC board members, Mr. Henry Mills and Mr. Steve Brown.

Ms. Woods-Jones stated that CEAC believes this will be the final recommendations from its report. She stated that CEAC has had the opportunity to have an extensive meeting with the new Chief of Police on the entire report. She stated that there was much positive and reflective agreement on the recommendations, with the exception of one area. She introduced Mr. Mills to discuss the unanimous recommendations from the report.

Ms. Woods-Jones noted that the agenda showed Council would be discussing appointments to CEAC during its closed session. She stated that the CUC office is looking forward to that decision in order to give the orientation to the new members.

Mr. Mills stated that CEAC held a meeting on December 17, 2013. He noted that the citizens of Hampton continue to believe that a review policy is necessary and that trust has not yet been reestablished between the citizenry and the police department. He stated that CEAC is encouraged by the responses received from Chief Sult. Mr. Mills stated that Chief Sult understands the findings in the report and appears supportive of most of the findings, with the exception of the police review as outlined. Chief Sult has provided other ideas on how to accomplish the objectives of that particular recommendation.

Mr. Mills stated that CEAC wishes to stand by the recommendation as presented, but is willing to give flexibility to Chief Sult to provide an alternative that can meet the needs of oversight and transparency. The CEAC believes that it is imperative that immediate steps be taken to restore the trust between citizens and the Police Division, noting that distrust between citizenry and those charged with the responsibility to protect and serve is a recipe for disaster. He noted that the CEAC was encouraged by the fact that Chief Sult understands the value of community policing. He noted that during the meeting, the Chief alluded several times to the importance of having police officers on the street and developing a relationship with the citizens of the community.

Mr. Mills stated that all of the measures that need to be taken to foster respectful interaction with the Police Division must be taken. The CEAC appreciates all the possibilities articulated by Chief Sult. Mr. Mills stated that it has never been the intent of



the CEAC to try to police the Police Division. The original intent was, and continues to be to try to foster a sense of positive community interaction between the Police Division and the citizens. Mr. Mills noted that the CEAC also looks forward to moving forward with the new appointments that will be discussed today.

Ms. Woods-Jones noted that Chief Sult met with youth commissioners, youth planners, youth advisors to the violence prevention initiative, the youth advisors to the CUC focused on diversity and inclusion, and the youth working with Dr. Linda Shifflette, Superintendent of Hampton City Schools. She stated that it was the first time in her experience that the Chief of Police had met solely with young people, not only presenting his agenda, but taking the time to listen to the youth views and perspectives. She stated that the CUC is looking forward to working with Chief Sult in developing a Youth Advisory Group that will work with him. She stated that she believes this is an addition that is long overdue that will play well into trying to understand what causes the level of violence in the lives of young people being experienced by the City today, and developing a camaraderie and partnership in solving those problems, where young people are empowered to have their voices heard directly by the Chief of Police.

Vice Mayor Curtis stated that she carefully reviewed the original report and the recent update. She commended the CEAC for doing good and difficult work. She stated that she is pleased and supports the recommendation to let the Chief have a chance to look at ways to achieve the CEAC's goals outlined in the report. She stated that she was pleased he would be given a chance to find the right fit for him and the department. She emphasized that the work done has been really good.

Councilman Tuck asked when Council could anticipate Chief Sult coming before Council to present his ideas, or if he would meet with CEAC who would offer a follow-up report. Ms. Bunting stated that Chief Sult had planned to be at the meeting today, but had an emergency situation and extends his apologies as he is very supportive of continuing to work on these issues with CEAC, Council, and the community. She stated that she had anticipated Council would receive this report and then direct Chief Sult and the City Manager to complete what has been suggested, and then bring a report back to Council. She noted that CEAC would be involved in the details. She stated that Chief Sult's main goal for review was to remain clear about what any group would be able to do, and that it be proactive and reactive. She stated that a review committee implies for some people that there are more powers than Virginia law allows, and she noted that Chief Sult is worried about sending a false message about what can be done. The idea is to build trust, not foster mistrust, so clarity in language is essential. Ms. Bunting noted that CEAC worked with the City Attorney's Office to understand what was and wasn't permitted under Virginia law, but the name doesn't necessarily align with what its advisory powers would be. Ms. Bunting noted that Chief Sult also had a desire for the body to not just be reactive, but for the Police Division to have an ongoing relationship with whatever group of citizens was appointed by Council.

Councilman Moffett commended CEAC for the report it has been working on for close to two years. He stated that Council has now heard from CEAC and from citizens. At some point, after the City Manager brings her report, he would like to either vote the measure up or down, but it has been going on for two years and a decision needs to be made. He stated that this is ultimately a decision that must be made by Council.

Mayor Wallace stated that he believes the intent of Council is to have the City Manager process the information and come before Council with definitive recommendation. Ms. Bunting stated that she anticipates this would be done at either the next meeting in January, or at the meeting in February, depending on the availability to schedule time with CEAC, as she would like to coordinate any decisions with that membership, to ensure that the City is honoring the intent of the CEAC's report.

PRESENTED by Michele Woods-Jones, Executive Director of the Citizens Unity Commission. Henry Mills and Steve Brown, members of the Citizen Engagement Advisory Commission, were also present. Mr. Mills presented the commission's recommendation to Council.

## **REGIONAL ISSUES**

### **NEW BUSINESS**

Vice Mayor Curtis asked for an update on the status regarding the homeless veterans. She stated that there was a lot of emotion around that issue when the Council voted not to allow them to stay at the Arrow Inn.

Ms. Bunting stated that, although the City is not the primary party, it is an issue that the City works on actively with the Salvation Army. She stated that funding is provided by the Veterans' Affairs (VA) Administration. While the City has tried to facilitate, the ultimate decision on whether a particular location is acceptable or not is up to the VA. She refrained from using the name of a potential property in order not to jeopardize negotiations, but stated that there is a property the Salvation Army believes is suitable and appropriate for the program. They have petitioned the VA for approval. She stated that there is a checklist of requirements and when all those requirements are not met, there is a waiver process that can be pursued. She stated that oftentimes those waivers are granted. The property they are currently looking at is ideal in many respects, but has one or two items that do not meet that checklist, so they are waiting on the VA review process. Assuming that waiver is provided, the Salvation Army would come before Council for the Use Permit they would need.

Ms. Bunting stated that the Salvation Army is examining other options should that property not receive the necessary waivers. This is the preferred location, with more suitable living space. It is not transient, but an apartment style living. The typical stay for this program is between 6-8 months. The preferred property has kitchen facilities. She stated that the hope has always been to accommodate this program in Hampton, but in an appropriate space for the program.

Councilman Stuart noted that there was an op-ed by Ms. Sandra Canepa, regarding the two bay front lots in Buckroe. He stated that after it was published, there were several emails sent to Council. This called attention to the fact that sometimes Council is privy to some actions that are being taken, but a member of the citizenry might be too busy to see what has taken place or what has been budgeted and is moving forward. He asked for the City Manager to give an update on the state of those lots in a future meeting.

Councilman Stuart also noted that Mr. Steve Mallon, the former chairman of the Peninsula Airport Commission, Chairman of the Langley Civic Association, and a former



Hampton Economic Director was in the audience. Mayor Wallace thanked Mr. Mallon for attending the session.

**CLOSED MEETING**

2. 14-0002 Closed session pursuant to Virginia Code Sections 2.2-3711.A.1 .3 and .7

APPROVED

**Motion made by:** Councilmember Linda Curtis

**Seconded by:** Councilmember W. H. "Billy" Hobbs, Jr.

**Ayes:** 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

**Nays:** 0

- . 14-0043 to consult with legal counsel regarding specific legal matters pertaining to Economic Development Authority projects and requiring the advice of counsel.

NO ACTION REQUIRED

- . 14-0044 to discuss threatened litigation and proposed state legislation.

NO ACTION REQUIRED

- . 14-0056 to discuss the acquisition of real property in the downtown area of the city where discussion in an open meeting would adversely affect the city's bargaining position or negotiating strength

NO ACTION REQUIRED

- . 14-0046 to discuss a personnel matter involving the City Attorney's Office

NO ACTION REQUIRED

- . 13-0386 to consider appointments to the Citizens' Engagement Advisory Commission (CEAC) formerly known as the Ad Hoc Leadership Group

NO ACTION REQUIRED

- . 13-0433 to consider an appointment to the Virginia Alcohol Safety Action Program (VASAP)

NO ACTION REQUIRED

- . 13-0472 to consider appointments to the Animal Control Advisory Committee

NO ACTION REQUIRED

- . 14-0041 to consider an appointment to the Wetlands Board

NO ACTION REQUIRED

- . 14-0045 to consider appointments to the Peninsula Town Center Community Development Authority

NO ACTION REQUIRED

- . 14-0052 to consider an appointment to the Thomas Nelson Community College Board of Trustees

NO ACTION REQUIRED

- . 14-0055 to consider a recommendation for appointment to the Hampton Roads Sanitation District Commission

NO ACTION REQUIRED

### **CERTIFICATION**

- 3. 14-0003 Resolution Certifying Closed Session

**WHEREAS**, the City Council of the City of Hampton, Virginia, has convened a closed session on this date pursuant to an affirmative recorded vote made in accordance with the provisions of the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3712D of the Code of Virginia requires a certification by the City Council of the City of Hampton, Virginia, that such closed meeting was conducted in conformity with Virginia Law;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Hampton, Virginia, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the city council of the city of Hampton, Virginia.

ADOPTED - the meeting was adjourned at 5:25 p.m.

**Motion made by:** Councilmember Will Moffett

**Seconded by:** Councilmember Chris Snead

**Ayes:** 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

**Nays:** 0

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George E. Wallace  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

Date approved by Council \_\_\_\_\_